

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, April 2, 2002, in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

Starr
Chamberlain
Waller
Storrs
Kramer
Littman
Wright

Absent

Reece
Pennington

Also Present:

Mark Miller, Planning Director
Susan Lancaster, Assistant City Attorney
Jordan Keoleian, Student Representative

RESOLUTION

Moved by: Storrs

Seconded by: Wright

RESOLVED, that Ms. Pennington and Mr. Reece be excused from attendance at this meeting.

Yeas: All Present (7)

Absent: Reece
Pennington

MOTION CARRIED

2. MINUTES – February 26, 2002

RESOLUTION

Moved by Reese

Seconded by Starr

RESOLVED to approve the February 26, 2002 Planning Commission Special Study Meeting Minutes as corrected.

Yeas:

Abstain

Absent

All Present (7)

Reece
Pennington

MOTION CARRIED

STUDY ITEMS

3. CURRENT DEVELOPMENT REPORT

Hollywood Market

Mr. David Donnellon, petitioner, identified plans 2a, 2b, 2c, and 2d and stated that they all represent slight variations with the same theme. All the variations were reviewed by the Planning Commission.

Mr. Chamberlain asked when are all the parking spaces utilized.

Mr. Donnellon replied holidays.

William Welch, 2670 W. Maple, of Hollywood Supermarket, stated that the parking lot is utilized quite a bit everyday.

Mr. Chamberlain stated if there is not enough parking, it will hurt the business, however, we need to protect "people" using the business.

Mr. Storrs asked what would prevent us from approving it tonight.

Ms. Lancaster stated we are not allowed to do this.

Mr. Storrs commented on looking at cross-access and extra dumpsters.

Mr. Waller stated a desire to create a way to find a parking spot on the site. The ability to rotate around the site, with turnarounds. The current site has some bad problems. He liked 2d.

Ms. Lancaster stated to the petitioner that the plan seems to comply with the ADA.

Mr. Donnellon replied yes.

Ms. Lancaster stated that barrier free spots are not in the cross traffic.

Mr. Kramer stated that the traffic circulation is improved with 2d and asked Mr. Miller to address the third curb cut. He also asked Mr. Donnellon to take into consideration of closing the third driveway.

Mr. Miller stated we haven't completed the whole review. The only thing asked of Mr. Donnellon was if there was any design consideration to block off the third drive.

Mr. Chamberlain stated if you went to the site and watched the middle drive long enough, you will have people coming out that drive and running right back into traffic on Maple.

Mr. Miller stated it is going to be very hard for City Staff to agree to so many driveways. He understood it's a very complex site with a lot of movement in a small area.

Mr. Chamberlain asked if they could add more radius.

Mr. Storrs asked what about the cross-access easement.

Mr. Kramer stated that we should try to reduce the number of entrances, mainly the east one. Increasing the angle of front parking is also a good idea.

Mr. Welch stated that 20% to 30% of traffic uses Axtell.

Mr. Miller stated that in support of Mr. Donnellon, he did submit a circular design package.

Mr. Wright stated that he would certainly like to see that third driveway eliminated but it makes more sense to leave it in as shown on the plan 2-d. Signage doesn't always work and we will need to obtain a parking variance.

Mr. Waller asked if arrows will be painted on the pavement.

Mr. Donnellon replied yes.

Mr. Starr stated that we can make a motion contingent upon approval of parking variance.

Mr. Littman commented on putting parallel parking along the building.

Mr. Chamberlain stated there would be a fire lane problem. The consensus seems to be site plan 2d and that the total of parking spaces is not an issue. Everyone should go over to the site and watch if for about two hours and you will see all of the traffic circulation problems.

Mr. Donnellon asked if everybody along Maple Road is required to have deceleration lanes.

Mr. Waller stated that it appears that the City has an inconsistent policy relating to Bob Borst Chevrolet and Chrysler Plymouth dealerships.

Mr. Chamberlain stated that the Commission did not review all of those other places. This site needs a deceleration lane.

Mr. Miller stated that the problem is going to be with the aisle width.

Current Development Report

Mr. Miller stated that a Marshalls Department store is going in next to the WalMart at Cambridge Crossing.

Mr. Chamberlain commented on the Troy Baptist PUD and asked if there were any comments from those who walked the site last week.

Mr. Miller summarized the meetings with Dick Carlisle and the PUD Team.

Mr. Waller stated that he was delighted that we did the walkthrough on the site. Everywhere there is water on the ground we should double check.

Mr. Kramer stated it is apparent there is a conflict if areas preserved in the PUD, while others don't include uplands. We need to decide whether we feel that it should be a public access as part of the PUD or a natural amenity just to the residents.

Mr. Chamberlain stated this is private property, only people who own it will have access to it. They dropped verbal words on us about splitting their property apart.

The church is going to do their part and Robertson Brothers is going to do their part with the housing. Where do the wetlands end up in this thing. Will City Council support some public access.

Mr. Miller stated they were talking about splitting it up, but now they are going to keep it as one and a PUD.

Mr. Chamberlain asked how can we control the unbuildable stuff.

Mr. Miller stated that a PUD is a form of contract zoning, but it's for a purpose. If the Planning Commission feels that it is very important that the public has access to certain areas within, then stick to your guns. This is a negotiated process. What does the City want from this project. That is why a City does PUDs. We are learning this, and we need to determine what we want from this project.

Ms. Lancaster stated she agreed with Mr. Miller. The goal of a PUD is to provide public improvements.

Mr. Storrs asked what do we want out of this. What are we willing to get.

Mr. Miller stated private roads instead of public roads.

Ms. Lancaster stated we have a lot of power with a PUD.

Mr. Littman agreed.

Mr. Waller stated all are good neighbors. All parties, including the Planning Commission, need to submit a document with a rationale for the PUD.

Mr. Kramer asked if we had two petitioners.

Mr. Miller stated that Robertson Brothers is the applicant while Troy Baptist is the majority property owner. Realistically, it is a development team.

Mr. Storrs stated that Mr. Carlisle promised to provide us with a good example of a PUD.

Mr. Chamberlain stated he hopes the developer is not forgetting about the neighbors to the north.

Mr. Miller stated they appear to be supportive because the petitioner is buying their extra property. He firmly believes if we are going to develop the current plan, all of the trees get cut down.

Mr. Waller commented, so it's going to be a clear cut.

Mr. Miller stated you can't have a 30 or 40 foot setback and build and not cut everything down. We need to see some good landscaping and berming.

4. RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT (RLUIPA)

Ms. Lancaster, Assistant City Attorney, made a presentation and summarized.

Mr. Chamberlain asked about two items. One of the things is the churches who, as a group, help the homeless shelters and provide the homeless housing and food in their basements. There is also concern over halls and places of assembly. What's the difference?

Mr. Chamberlain asked if we really care where B-2 churches are and that other cases have to be on a main road or a corner area. What difference does it make.

Mr. Storrs stated churches belong in B-1, B-2, and B-3.

Mr. Chamberlain stated that he proposes we change it now. We should move them out of residential.

Mr. Littman stated your taking more valuable property off the tax roles.

Mr. Kramer commented on the practice when we took apart policies regarding hours and parking lot lighting. Can we control the lighting. Parking lot lighting is not compatible with residential areas. When they build a church, encourage them to build the sanctuary first before they build anything else.

Ms. Lancaster stated that it may make a difference if you are building in a residential area. One good thing I have found about this board is that you do keep good records. If you have a record of what your compelling interest is then you're really not going to have any problems. Your history will show you're cooperating. As long as you make a record that you are not controlling the services.

Mr. Littman asked if there are restrictions on outdoor services.

Mr. Miller stated we have special event permits.

Mr. Storrs asked if there was something on the books that addressed noise.

Mr. Miller stated 65 decibels at the property line.

Mr. Chamberlain stated whatever changes are necessary, give them to Mr. Miller in due time and he will bring them back to the Planning Commission with the revisions. We ought to be looking at the positive side and O-1 for churches.

Mr. Kramer stated the possibility of churches moving in and out on a regular basis and that there should be an ordinance to discourage churches of a transient nature. We don't want every empty store front turning into a Bible School or Bible Study for two months a year.

5. PARKING REQUIREMENTS

Mr. Miller stated that this a comprehensive review of the Zoning Ordinance parking requirements. We should put together information and comparisons regarding off street parking requirements. It would be good to list different community requirements. The Planning Department ordered a few books on how to provide parking at shopping centers and offices. We need some technical evidence if we are going to change the existing requirements.

40.21.11 One Family Detached – Two (2) for each dwelling unit

Mr. Miller stated that parking spaces cannot be stacked for required spaces.

Mr. Wright stated that parking places can't be in front of the garage for some situations in Troy. Like the resident in Troy who has turned his garage into a family room. Technically, in that ordinance, that is not legal.

Mr. Chamberlain asked how do we enforce something like that.

Ms. Lancaster stated you can always take court action and ask the judge to resolve it.

Mr. Chamberlain asked how do you find out what's going on.

Ms. Lancaster stated that usually it is just through neighbors reporting it.

Mr. Miller stated if cars are parked in a stacked fashion, one would not be able to pull in or out.

No changes.

4021.12 – One Family Attached – Two (2) for each dwelling unit

Mr. Miller stated you have to be careful with condominiums. Parking is provided throughout the development. There is a 28 foot road standard and there could be on street parking; however, on-street parking is very rare. There should be a standard to provide accessible parking for guests.

Bob Schultz stated that community associations or condominium associations could provide some information regarding parking. It is clearly inadequate. Are there any standards in the City right now.

Mr. Miller stated two (2) per unit.

Planning Commission concluded that guest parking should be considered.

4021.13 – One Family Cluster – Two (2) for each dwelling unit

Concept is same as for 40.21.12

4021.14 – Two Family – Two (2) for each dwelling unit

Concept is same as for 40.21.12

4021.15 – Multiple Family – Two (2) for each dwelling unit

Concept is same as for 40.21.12

Need to address storing of snow, and visitor parking for 4021.12, 4021.13, 4021.14, 4021.15.

4021.16 – Senior Citizen Housing – 0.65 for each unit, and one (1) for each one (1) employee. Should the units revert to general occupancy, then two (2) spaces per unit shall be provided

Mr. Chamberlain stated that an aerial should be done for Oakland Towers. This one needs to be reviewed thoroughly. Planning Department double check with site inspections.

4021.17 – Convalescent Homes – One (1) for each two beds

Mr. Chamberlain this one needs to be reviewed thoroughly. Just because some communities have something totally different from us, we still need to put our own special thoughts into it.

4021.18 – Mobile Home Park – Two (2) for each mobile home site and one (1) for each employee of the mobile home park

Mr. Miller stated guest parking could be a problem.

4021.21 – Religious Worship Facilities – One (1) for each three (3) seats or six (6) feet of bench seating in the main unit of worship

Mr. Chamberlain stated everyone should look around on Sundays to get an idea. See if we can reduce some of the requirements.

Mr. Miller stated there are some optional and creative ways to figure out some of the parking issues.

Mr. Chamberlain stated he would like to see some creative ways of parking with more green space. Let's look at the rebuilding cycle.

4021.22 – Hospital – Three for each one (1) bed

Mr. Wright stated problem with 3 for 1 bed facility like Beaumont is mostly outpatients. There is a need for as many parking requirements for outpatients as well as inpatient.

Mr. Chamberlain stated we need to get a handle on this hospital parking.

Mr. Littman stated that health, safety, and welfare is our problem.

Mr. Kramer stated we should call those people in from the medical offices and the hospital and let them help with finding a solution. We should add parking spaces for hospital, plus office, plus outpatient.

4021.23 – Nursery Schools and Child Care Centers – One (1) for each one (1) teacher, employee or administrator and one (1) for each ten (10) students or children cared for

Planning Commission concluded this should be reviewed and circle drives should be utilized for morning and evenings drop-offs and pick-ups.

4021.24 – Elementary Schools – One (1) for each one (1) teacher, employee or administrator in addition to the requirements of the auditorium or multi-purpose room

The Planning Commission's consensus was that there is never enough parking, and do not revise.

4021.25 – Middle or Junior High Schools – One (1) for each one (1) teacher, employee or administrator in addition to the requirements of the auditorium or multi-purpose room

The Planning Commission's consensus was that there is never enough parking, and do not revise.

4021.26 – Senior High Schools – One (1) for each one (1) teacher, employee or administrator and one (1) for each ten (10) students, in addition to the requirements of the auditorium

The Planning Commission's consensus was that there is never enough parking, and do not revise.

4021.27 – Adult Foster Case Facility – Two (2) plus one (1) for each employee

The Planning Commission asked for a definition of adult foster care.

6. OVERLAY DISTRICT

Mr. Miller commented on bringing in Mr. Carlisle to get input regarding that ordinance. Design guidelines like for PUDs. We are still looking forward to Troy Baptist's PUD ordinance member's standpoint.

7. PUBLIC COMMENTS

Public comments open.

Mr. Schultz stated he looked at Hollywood Market's new (2d) layout for traffic circulation and it will result in six (6) movements rather than three (3) movements.

Mr. Chamberlain requested that Mr. Miller look into that.

Mr. Chamberlain stated that at the joint meeting with the Planning Commission and City Council on March 5, 2002, it was mentioned that there had never been a Transfer of Development Rights (TDR) being done in the State of Michigan. However, Leelanau Township and County uses TDR purchased rights.

Mr. Miller stated that in the Leelanau area, Purchase of Development Rights is utilized.

Public comments closed.

Mr. Chamberlain stated that at the next Special Study meeting we are going to do a site visit on Crooks and Big Beaver at 6:00 p.m., on the south side of Big Beaver, park in the Volkswagon lot.

Mr. Chamberlain commented about Mr. Kramer's comments on fences in wooded areas. Does the Planning Commission want them to go on pilings. One of the things we still have to worry about it is that it won't prevent trees from being killed.

Mr. Chamberlain stated that another thing he would like to have done is give a handout to the members of the Commission to have phone numbers, addresses, and e-mail addresses updated.

12. Meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director